

REMARKS

Claims 1, 10 and 19 have been amended to re-order the steps for antecedent purposes, and to clarify that, in Applicants' method, the transitory audio information is buffered while the message associated with the interrupt signal is provided.

Claim Rejection based upon Loewenthal et al.

Claims 1-22 were rejected under 35 U.S.C. § 102(a) as anticipated by European Patent Application EP 1037419 by Loewenthal et al., published in 2000.

Loewenthal et al. describes a system that includes a memory for storing pre-recorded programs, including a Program A and a Program B. The files are digitized audio information, col. 6, lines 44-45, and a stored in memory 16, col. 7, lines 2-3. It is pointed out that even bulletins are stored in memory before play, col. 7, 19-21. The selector 28 then selects a particular program from memory for play, col. 7, lines 38-43. Thus, the listener, when listening to Program A, may select and listen to Program B, and when Program B concludes, may return to Program A at the point of interruption. In this regard, the system in Loewenthal et al. operates similar to a pause function of a typical VCR or DVD player, interrupting and resuming a program at a particular point. In contrast, Applicants' invention relates to transitory audio information that is not stored, such as broadcast radio, see page 1, lines 19-21. In Applicants' invention, when an interrupt signal is received, the transitory audio information is placed in a buffer while the interrupt message is played. Loewenthal et al. provides links between programs stored in memory, and does not need to a buffer to save information in order to return to the already stored program. It is pointed out that a distinction is drawn between the transitory broadcast that is interrupted and the interrupt message. With regard to transitory broadcasts,

nothing in Loewenthal et al. suggests interrupting or buffering a portion of a common radio broadcast so as not to miss a moment. Thus, Loewenthal et al. does not teach or suggest Applicants' invention.

Claim 1 is directed to Applicants' method, which includes receiving transitory audio information and audibly providing same until an interrupt signal is received. As is clear from the claim language, the transitory audio information is the information, i.e., radio show, that is interrupted, as distinguished from the message that is played during the interruption. Loewenthal et al. plays Program A stored in memory, and does not contemplate providing transitory audio information, information from a source other than the memory. The claim calls for buffering the transitory audio information while the message associated with the interrupt signal is audibly provided, and audibly providing the buffered information upon conclusion of the message. Loewenthal et al. does not provide for buffering Program A, or need to in order to return to the stored program. Thus, Loewenthal et al. does not anticipate, or even suggest, Applicants' method in claim 1.

Claims 2-9 are dependent upon claim 1, and so not taught or suggested for the reasons discussed with regard to that claim, but set forth additional features preferred in the practice of Applicants' invention. In particular, attention is drawn to claim 2 that calls for the buffered transitory information to be provided at a faster rate than new transitory information. Loewenthal et al. does not provide buffered information, and so cannot show providing buffered information at a faster rate. Also, claim 8 more particularly points out that the transitory audio information is a radio broadcast. While Loewenthal et al. discloses that the programs may be downloaded by radio broadcast, it nevertheless requires the programs to be stored in memory before play.

Claim 10 is directed to an automotive system that includes a memory subsystem, an audio output device, and a processor having processor executable code. The processor provides the transitory audio information to the audio output device until an interrupt signal. Loewenthal et al. stores information and then provides it to an audio output device, and so does not show providing transitory information to the output device. The claim calls for buffering the transitory audio information while the message of the interrupt signal is provided to the output device. Loewenthal et al. does not provide for buffering transitory information. Thus, Loewenthal et al. does not teach or suggest Applicants' automotive information system in claim 10, or claims 11-18 dependent thereon.

Claim 19 is directed to Applicants' audio information system that includes a processor which provides the transitory audio information to the audio output device until an interrupt signal is received, buffers the transitory audio information while the message is provided, then provides the buffered information upon conclusion of the message. For the reasons above with regard to claims 1 and 10, Loewenthal et al. does not show these features, and so cannot teach or suggest claim 19, or dependent claims 20-26.

Accordingly, it is respectfully requested that the rejection of claims 1-26 based upon Loewenthal et al. be reconsidered and withdrawn, and that the claims be allowed.

Conclusion

It is believed, in view of the amendments and remarks herein, that all grounds of rejection of the claims have been addressed and overcome, and that all claims are in condition for allowance. If it would further prosecution of the application, the Examiner is urged to contact the undersigned at the phone number provided.

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0831.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Douglas D. Fekete", written over a horizontal line.

Douglas D. Fekete

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